

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

GREGORY C. LANGHAM
CLERK OF COURT

Room A-105, Alfred A. Arraj U.S. Courthouse
901 19th Street
Denver, Colorado 80294-3589
Phone (303) 844-3433
www.cod.uscourts.gov

September 12, 2005

District of New Mexico
333 Lomas Blvd N.W.,
Albuquerque, NM 87102

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

SEP 14 2005

MATTHEW J. DYKMAN
CLERK

Re: U.S.A. v. Geno Berthoud
Colorado Case Number: 05-1191M
Originating District's Case No.: CR051849. *JA*

Dear Clerk:

Enclosed please find a certified docket sheet and all original documents from our file which are being forwarded pursuant to Rule 5 and 5.1 of the Federal Rules of Criminal Procedure:

Please acknowledge receipt of the enclosed documents on the enclosed copy of this letter.

GREGORY C. LANGHAM, CLERK

By: *J. Lee*

Tracey Lee, Deputy Clerk

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TERMED

**U.S. District Court
District of Colorado (Denver)
CRIMINAL DOCKET FOR CASE #: 1:05-mj-01191-CBS-ALL
Internal Use Only**

Case title: USA v. Berthod
Other court case number: CR 05-1849 District of New Mexico

Date Filed: 08/25/2005

Assigned to: Magistrate Judge Craig B Shaffer

Defendant

Geno Berthod (1)
TERMINATED: 09/09/2005
also known as
Old Man (1)
TERMINATED: 09/09/2005

represented by **John Andrew Chanin**
Office of the Federal Public Defender
633 Seventeenth Street
#1000
Denver, CO 80202
U.S.A
303-294-7002
Fax: 303-294-1192
Email: John_Chanin@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None


Highest Offense Level (Terminated)

None

Complaints

None

Disposition

 I, the undersigned, Clerk of the United States District Court for the District of Colorado, do certify that the foregoing is a true copy of an original document remaining on file and record in my office.
WITNESS my hand and SEAL of said Court this 12th day of Sept-05
Disposition GREGORY C. LANGHAM
By J. H. L.
Deputy

Plaintiff**USA**

represented by **David Robert Steinman**
 United States Attorney's Office-Denver
 Colorado
 1225 17th Street
 #700
 Denver, CO 80202
 U.S.A
 303-454-0100
 Fax: 454-0404
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/25/2005	31	RULE 5 AFFIDAVIT from the District of New Mexico as to Geno Berthod (klt,) (Entered: 08/27/2005)
08/25/2005	32	Minutes of Initial Appearance in Rule 5(c)(3) Proceedings before Judge Craig B Shaffer : as to Geno Berthod held on 8/25/2005; FPD appointed for defendant; Detention and Identity Hearing set for 8/30/2005 10:00 AM before Magistrate Judge Craig B Shaffer; dft remanded(Court Reporter FTR CBS PM.) (klt,) (Entered: 08/27/2005)
08/25/2005	33	CJA 23 Financial Affidavit by Geno Berthod (klt,) (Entered: 08/27/2005)
08/29/2005	34	NOTICE OF ATTORNEY APPEARANCE: John Andrew Chanin appearing for Geno Berthod (tll,) (Entered: 08/29/2005)
08/31/2005	35	Minutes of detention and preliminary hearing before Judge Craig B Shaffer : as to Geno Berthod held on 8/31/2005; dft waived identity hearing; witness/testimony re:detention issue; court orders defendant detained pending further proceedings; dft remanded (Court Reporter FTR CBS PM.) (kltsl,) (Entered: 09/08/2005)
09/09/2005	36	COMMITMENT TO ANOTHER DISTRICT as to Geno Berthod. Defendant committed to District of New Mexico. Signed by Magistrate Judge O. Edward Schlatter on 9/9/05. (klt,) (Entered: 09/12/2005)
09/09/2005	37	MAGISTRATE CASE TERMINATED as to Geno Berthod . Signed by Magistrate Judge O. Edward Schlatter on 9/9/05. (klt,) (Entered: 09/12/2005)
09/09/2005	37	Removal Documents Sent To District of New Mexico (tll,) (Entered: 09/12/2005)

AO 94 (Rev. 12/03) Commitment to Another District

UNITED STATES DISTRICT COURT

District of _____

UNITED STATES OF AMERICA

V:

COMMITMENT TO ANOTHER
DISTRICT*Jeno Berthoud*

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

*Colorado**New Mexico**05-1191M**CR051849*

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment ☐ Information ☐ Complaint ☐ Other (specify)

charging a violation of

U.S.C. §

DISTRICT OF OFFENSE

New Mexico

DESCRIPTION OF CHARGES:

CURRENT BOND STATUS:

- ☐ Bail fixed at \$ _____ and conditions were not met
- ☒ Government moved for detention and defendant detained after hearing in District of Arrest
- ☐ Government moved for detention and defendant detained pending detention hearing in District of Offense
- ☐ Other (specify)

Representation: ☐ Retained Own Counsel ☒ Federal Defender Organization ☐ CJA Attorney ☐ NoneInterpreter Required? ☒ No ☐ Yes Language: _____

DISTRICT OF

TO: THE UNITED STATES MARSHAL.

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

9-9-05
Date*[Signature]*
Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Craig B. Shaffer
U.S. Magistrate Judge

Tracey Lee
Deputy Clerk

Case Number: 05-1191M
Date: August 31, 2005

FTR CBS-PM

UNITED STATES OF AMERICA

David Stein

v.

Geno Berthoud

John Chanin

IDENTIFICATION AND DETENTION HEARING

Court in Session:3:07pm

Court calls case and appearances of counsel. Sue Heckman is present from pretrial services.

Defendant waives identity hearing. Waiver tendered to the court.

Government proceeds on preliminary hearing.

Court takes judicial notice of pre-trial reports.

Government calls Agent Kenneth Valdez as a witness. Witness is sworn.

Government direct examination. Defense attorney cross examination.

Government is asking for detention. Defense is asking for release on bond.

ORDERED: Presumption has not been rebutted. Court finds that there are no conditions or combination of conditions that will assure the defendant's presence in court.

ORDERED: Defendant remanded, pending further proceedings.
Defendant remanded to the custody of the U.S. Marshal.

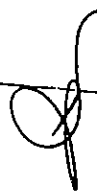
Court in Recess:3:36pm
Time: 28 minutes

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FILED
U.S. DISTRICT COURT
DISTRICT OF COLORADO

2005 AUG 29 AM 11:33

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

TECORY C. LANGHAM
CLERK
BY  DEP. CLK

CASE NO. 05-1191M

UNITED STATES OF AMERICA,

Plaintiff,

v.

GENO BERTHOD,

Defendant.

NOTICE OF APPEARANCE

The Office of the Federal Public Defender, by and through undersigned counsel hereby enters its appearance in the above captioned case.

The defendant, through undersigned counsel, objects to the arraignment under Rule 10 of the Federal Rules of Criminal Procedure being conducted by video conference and requests to be personally present in open court during the arraignment.

Respectfully submitted,

RAYMOND P. MOORE
Federal Public Defender

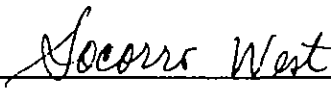


JOHN A. CHANIN
Assistant Federal Public Defender
633 - 17th Street, Suite 1000
Denver, Colorado 80202
(303) 294-7002

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF APPEARANCE** was furnished to the following on August 29, 2005:

Dave Steinman
Assistant U.S. Attorney
1225 - 17th Street, Suite 700
Denver, Colorado 80202



Socorro West

FINANCIAL AFFIDAVIT

CJA23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE
IN UNITED STATES DISTRICT COURT

D/CO Mod. 04/02

THE UNITED STATES
VS.FOR
UNITED STATES DISTRICT COURT
AT
DENVER, COLORADO

PERSON PRESENTED (Show your full name)

Berthod, Geno

CHARGE/OFFENSE (Describe if applicable & check box)

MARIJUANA☒ Felony ☐ Misdemeanor

- | | |
|---|----------------------|
| 1 | Defendant - Adult |
| 2 | Defendant - Juvenile |
| 3 | Appellant |
| 4 | Probation Violator |
| 5 | Parole Violator |
| 6 | Habeas Petitioner |
| 7 | 2255 Petitioner |
| 8 | Material Witness |
| 9 | Other (Specify) |

DOCKET NUMBERS
Magistrate
District Court
Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY**EMPLOYMENT**Are you employed? ☐ Yes ☒ No ☐ Am Self-Employed

Name and address of employer: _____

IF YES, Monthly Income? \$ _____

IF NO, Give month and year of last employment _____

Monthly Income \$ _____

If married is your spouse employed? ☐ Yes ☒ No

IF YES, Monthly Income? \$ _____

If a minor under age 21, what is your parents or guardian's approximate monthly income? \$ _____

ASSETS**OTHER INCOME**Have you received within the past 12 months any income from a business, profession, or other form of self-employment, or in the form of rent payments, interest, dividend, retirement or annuity payments, or other sources? ☐ Yes ☒ NoReceivedSources

IF YES, Give Amount Received and Identify the Sources _____

CASHHave you any cash on hand or money in savings or checking accounts? ☐ Yes ☐ No

IF YES, State Total Amount \$ _____

PROPERTYDo you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ NoValueDescription

IF YES, Give Value and Description _____

DEPENDENTS**Marital Status**☒ Single☐ Married☐ Widowed☐ Separated/Divorced

Total No. of Dependents _____

List persons you actually support and your relationship to them. _____

OBLIGATIONS AND DEBTS**DEBTS AND MONTHLY BILLS**

(List all creditors, including banks, loan companies, charge accounts, etc.)

Apartment or Home _____

Creditors _____

Total Debt

Monthly Pmt.

\$ _____ \$ _____

\$ _____ \$ _____

\$ _____ \$ _____

\$ _____ \$ _____

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date): _____

Signature of Defendant (or Person Represented) → *Geno Berthod*

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH.

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CRAIG B. SHAFER
U.S. MAGISTRATE JUDGE

Lucy Kenyon
Deputy Clerk

Case Number: 05-1191M
Date: AUGUST 25, 2005

FTR CBS PM

UNITED STATES OF AMERICA

David Steinman

v.

GENO BERTHOD

Without Counsel

INITIAL APPEARANCE (RULE 5 IN FROM NEW MEXICO)

Court in Session: 2:28 p.m.

Court calls case and appearances. Susan Heckman is present from Pretrial Services.
Defendant advised of all rights, charges and penalties.

Defendant states that he is unable to retain counsel and requests that the Court appoint counsel.
Financial affidavit is tendered.

ORDERED: The Office of the Federal Public Defender has been appointed to represent the
defendant.

Government is seeking detention.

ORDERED:

- Identity and Detention Hearing is set for **August 30, 2005 at 10:00 a.m.**
- Defendant remanded to custody.

Court in Recess: 2:36 p.m.

Hearing Concluded
Time: 8 minutes

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